GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department – Allegation of corruption against Sri K.Rohan Kumar, Sub Registrar, Anandapuram, Visakhapatnam – Departmental Action for violation of Andhra Pradesh Civil Services (Conduct) Rules, 1964 – Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charge - Orders – Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.431 **Dated: 22-03-2019**
Read the following:

1.From DG., ACB, Vijayawada, Rc.No.03/RE-CIU/2016, dt.16-08-2017.
2.From DG., ACB, Vijayawada, Lr.No.03/RE-CIU/2015, dt.17-05-2018.
3.G.O.Ms.No.257, Revenue (Vig-II) Department, dated 22-03-2019.

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O R D E R :

It is proposed to hold an enquiry against Sri K.Rohan Kumar, Sub Registrar, Anandapuram, Visakhapatnam District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure-I). A Statement of imputations of misconduct / misbehaviour (Annexure-II). A list of documents by which and a list of witnesses by whom the proposed Articles of Charge are sustained (Annexure-III and IV).

3. Sri K.Rohan Kumar, Sub Registrar, Anandapuram, Visakhapatnam District is directed to submit his Written Statement of Defense within 15 days of the receipt of this order and also to state whether he desires to be heard in person.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Sri K.Rohan Kumar, Sub Registrar, Anandapuram, Visakhapatnam District is further informed that if he does not submit his Written Statement of Defense on or before the date specified in para-3 above, or does not appear in person before the inquiry authority or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex-parte.

6. Attention of Sri K.Rohan Kumar, Sub Registrar, Anandapuram, Visakhapatnam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his

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behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Service (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

The Individual (***through*** *the* Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada *with a request to serve the G.O. to the individual and furnish the served copy with signature and dated acknowledgement for record*)

The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velagapudi, Guntur District.

The Director General, Anti Corruption Bureau, Andhra Pradesh, Pandit Nehur Bus Station, NTR Administrative Block, IInd Floor, Vijayawada.

The Deputy Inspector General, Registration & Stamps, Visakhapatnam.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

A N N E X U R E - I

ARTICLE OF CHARGE FRAMED AGAINST SRI KANCHARANA ROHAN KUMAR, S/o.GOPINATH, SUB-REGISTRAR, ANANDAPURAM, VISAKHAPATNAM.

That Sri K.Rohan Kumar, S/o.Gopinath, Sub Registrar Anandapuram, Visakhapatnam District while working as Sub Registrar, Anandapuram, Visakhapatnam. He committed grave misconduct in as much as here in after called as Government servant.

Article of Charge:

That the Government servant Sri K.Rohan Kumar, Sub-Registrar, Anandapuram simply forwarded Unregistered Sale Deed dated 05-06-1970 to District Registrar, Visakhapatnam after impounding for validation and collecting deficit stamp duty which is presented before him as an evidence for the registration of sale deed, without verifying its genuineness, as it appears on the face of it that the execution of the said Unregistered Sale Deed infavour of K.S.N.Raju is so improbable, as the date of birth of K.S.N.Raju is 09-06-1960 (as per the Aadhaar card submitted by K.S.N.Raju) at the time of presenting sale deed for registration and allowed the registration of the document No.P-383/2015 and kept pending the same with ulterior motive and committed misconduct.

That Sri K.Rohan Kumar, S/o Gopinath, Sub Registrar Anandapuram, Visakhapatnam District by his above mentioned acts has exhibited lack of integrity, devotion to duty, and conduct un-becoming of a Government Servant and thereby contravened Rules 3 (1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER

A N N E X U R E - II

STATEMENT OF IMPUTATION OF MIS-CONDUCT IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI KANCHARANA ROHAN KUMAR, S/O GOPINATH, SUB- REGISTRAR, ANANDAPURAM, VISAKHAPATNAM.

That Sri K.Rohan Kumar S/o Gopinath, Sub Registrar Anandapuram, Visakhapatnam District. His date of birth is 22-12-1974. He joined in Government Service as Sub Registrar in the year 2006 and worked in the same capacity in various places i.e. 1) Sub Registrar, Kota, Nellore District 2) Sub Registrar, Naidupeta, Nellore District 3) Sub Registrar, Gajapathinagaram, VZM District 4) Registrar, Visakhapatnam 5) Registrar, Ponduru, Srikakulam District 6) Sub-Registrar, Anandapuram, Visakhapatnam District since 2014 he committed grave misconduct in as much as here in after called as Government servant.

Charge: That the Government servant simply forwarded Unregistered Sale Deed dated 05-06-1970 to District Registrar, Visakhapatnam after impounding for validation and collecting deficit stamp duty, which is presented before him as an evidence for the registration of sale deed, without verifying its genuineness, as it appears on the face of it that the execution of the said unregistered Sale Deed infavour of K.S.N.Raju is so improbable, as the date of birth of K.S.N.Raju is 09-06-1960 (as per Aadhaar card submitted by K.S.N.Raju) at the time of presenting sale deed for registration and allowed the registration of the document No.P-383/2015 and kept pending the same with ulterior motive and committed misconduct.

Statement of imputation with facts and evidence:

Brief facts are that a petition dated 17-02-2016 has been received from Sri K.S.N.Raju, S/o.K.Satyanarayana R/o.MIG-11B, Sector-6, Plot No.31, MVP Colony, Visakhapatnam alleging that Sri.R.Damodara Rao, District Registrar, Visakhapatnam demanded and accepted bribe of Rs.15.00 lakhs from him for impounding and validation of unregistered sale deed and further demanded Rs.50.00 lakhs to release the document. Basing on the above petition, a Regular Enquiry was taken up by the Bureau against Sri R.Damodar Rao, District Registrar and Sri Rohan Kumar, Sub-Registrar, Visakhapatnam, here in after referred as Government servant.

During the course of enquiry the petitioner and other witnesses were examined and their statements were recorded and supporting documentary evidence was collected from the concerned authorities.

On examination, the petitioner Sri K.Satyanarayana Raju stated that on 05-06-1970 he purchased a vacant site measured 1840 Sq. Yards in T.Sy.No.1031P of Waltair ward, Block No.45, Visakhapatnam City from Varahabhatla Manikeswara Rao through unregistered sale deed out of total extent of Ac 4.50 Cents. The said Sri Manikeswara Rao acquired the above said land through a registered GPA Document No.29/1970, dated 26-02-1970 of SRO, Visakhapatnam from Sri Nalam Ramalingeswara Rao. The said Sri Nalam Ramalingeswara Rao is the owner according to document No.499/1970, Book-1, Volume-IV of SRO, Visakhapatnam. The said land is being in his possession and enjoyment and constructed ACC roofed shed since its purchase to till date.

Further he approached along with all relevant documents pertaining to the above said property to the District Registrar, (SO1) Visakhapatnam on 18-01-2015 with a request for impounding and validation of the unregistered document of the above said property for which the District Registrar further asked him to submit some more relevant documents, on that he had submitted the same from time to time to him. In spite of that, the District Registrar, Visakhapatnam has not taken any action and went on postponing the work from time to time.

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Then he approached the Hon'ble Deputy CM and Minister for Revenue, Govt. of A.P., with a request to direct the concerned authorities to impound and validate his document under Stamps & Registration Act. On his request the Hon'ble Deputy CM (Revenue) has directed the District Registrar to examine and consider his request, vide Endt.No.397/DY.C.M(Rev)/15, dated 18.04.2015. He again approached the District Registrar, Visakhapatnam on the above endorsement and requested the same.

The District Registrar had issued a notice to him vide Notice No. GI/976/2015, dated 10.06.2015 and asked him to furnish the documents mentioned in the notice to assess proper stamp duty for impounding. Then he has submitted the concerned documents mentioned in the above notice to the District Registrar and again the District Registrar has not responded properly and asked him again to bring more particulars stating that to expedite the impounding document as per Indian Stamp Act from the Hon'ble Dy. CM (Rev). To which on reiterating the issue before the Hon'ble Dy.CM (Rev) and he has pleased to issue direction to the District Registrar, Visakhapatnam to "Pl. expedite the impounding document as per Indian Stamp Act, vide Endt.No. 590/DY.C.M(Rev)/15, dated 15.06.2015.

In spite of the direction from the Hon'ble Dy. CM (Rev), the District Registrar, Visakhapatnam has still insisted a direction from the Commissioner & Inspector General of Registration & Stamps, AP., Vijayawada. Thereafter on his request the Commissioner & Inspector General has pleased to order and given direction to the District Registrar, Visakhapatnam vide Memo No.52/6035/2015, dated 25.06.2015. After submission of the above memo, the District Registrar asked him to furnish remaining documents mentioned in the notice to assess proper stamp duty for impounding. Then he has submitted all the concerned documents mentioned in the above notice to the District Registrar on 26.06.2015 along with the memo No.S2/6035/2015, dated 25.06.2015 of the Commissioner and Inspector General of Registration and Stamps.

There after the District Registrar demanded bribe amount of Rs.15 Lakhs to do his work, as he was not interesting to pay the demanded bribe amount to the District Registrar, but no other option to do his work, as he accepted to pay the demanded bribe amount and then the District Registrar has returned the original unregistered document of the above said property to him and on the same day i.e., evening he along with his sister-in-law's son Sri Penumatsa Srinivasa Raju and Sri Bagadi Satish Naidu (who had made agreement to purchase the above said land on the name of his father Sri Bagadi Venkata Naidu and also made pending registration vide document No.P-383/2015 of SRO, Anandapuram) went to the house of Sri Reddy Damodara Rao, District Registrar, Visakhapatnam, residing at Patro's Vinayagar, Visakhapatnam.

The complainant and Sri B.Satish Naidu were stayed back near the said apartment and Sri P.Srinivasa Raju went to the flat of Sri Reddy Dhamodhara Rao, District Registrar, Visakhapatnam and on further demand handed over the bribe amount of Rs.15 lakshs to Sri R.Damodara Rao, District Registrar at about 20.00 to 21.00 hours on 27.05.2015.

The District Registrar received the amount and directed him to submit for the registration for the above said property at the office of Government servant, Anandapuram, Visakhapatnam, through any where online registration system, in fact Joint Sub Registrar-1 is the jurisdictional sub-registrar.

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On 31.07.2015 complainant had approached the Joint Sub-Registrar, Anandapuram (Government servant) and he made a registration vide pending document No.383/2015, dated 31.07.2015 of SRO, Anandapuram had sent for Rule-3 to JSRO, Visakhapatnam-1, as the said property is existing in jurisdiction of JSRO-1. The JSRO-1 VSP had rejected the document two times stating that, as present petition vide WP No.35146/2012 is pending.

Oral and documentary evidence collected during enquiry revealed that the petitioner Mr.K.S.N.Raju has submitted an unregistered sale deed as an evidence to the sale deed executed by him in favour of Bagadhi Venkata Naidu on 31-07-2015 and it was presented before Joint Sub-Registrar, Anandapuram, Visakhapatnam District. The unregistered sale deed was executed on 05-06-1970. (i.e., 45 (forty-five) years back). This was presented as evidence along with a sale deed for validation. The Inspector General of Registration and Stamps, Vijayawada has issued clear and strict instructions about impounding of documents. If any agreements were executed more than one year back, it is the bounden duty to verify its genuineness of execution and initiate a thorough enquiry. However, this unregistered instrument was executed about 45 years back. As such, they should verify the bona-fides of K.S.N.Raju and conduct a preliminary enquiry to process the document under section 38 of Indian Stamp Act. On perusal of record it was noticed that the Aadhaar Card belongs to KSN Raju, which contains his date of birth is 09-06-1960 this is an authenticated evidence about his age. The unregistered sale deed was executed on 05-06-1970 in favour of K.S.N.Raju, when he was 10 years old. Prima facie, it is evident that Government servant should have initiated enquiry or at least inform to the higher authorities for appropriate action but this was not done.

The Government servant at initial stage the document presented for registration basing on unregistered sale deed has not been properly scrutinized but he simply forwarded Unregistered Sale Deed dated 05-06-1970 to District Registrar, Visakhapatnam after impounding for validation and collecting deficit stamp duty, which is presented before him as an evidence for the registration of sale deed, without verifying its genuineness, as it appears on the face of it that the execution of the said Unregistered Sale Deed in favour of K.S.N.Raju is so improbable, as the date of birth of K.S.N.Raju is 09-06-1960 (as per the Aadhaar card submitted by K.S.N.Raju) at the time of presenting sale deed for registration and allowed the registration of the document No.P-383/2015 and kept pending the same with ulterior motive and in collusion with the petitioner. As such the charge levelled against the Government servant was substantiated.

Thus the Govt. servant therefore rendered himself for violation of Rules 3 (1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER

A N N E X U R E - III

LIST OF WITNESSESS IN RC.No.3/RE/2016 OF ACB, CIU, A.P.,VIJAYAWADA.

Sl.No	Name of the witnesses
1.	Sri Kalidindi Satyanarayana Raju, S/o.Satyanarayana Raju, 56 years, R/o. MIG 11B, Sector-6, Flat No. 31, MVP Colony, Visakhapatnam City.
2.	Sri Penumatsa Srinivasa Raju, S/o.Lakshmipathi Raju, 38 years, R/o D.No. 9-5-52/6, FF-6, Sujan Residency, Peethalavanipalem, Visakhapatnam.
3.	Sri Bagadi Satish Naidu, S/o.Venkat Naidu, 28 years, R/o D.No.31-5-9/43, Flat No. 504, Sri Mitra Residency, Kurmannapalem, Visakhapatnam-46.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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A N N E X U R E - IV

LIST OF DOCUMENTS

Sl.No.	Name of the document/Register.
1.	Copy of un-registered sale deed dated 05-06-1970
2.	Copy of sale deed vide Doc.No.P-383/2015 of SRO, Anandapuram, dated 31-07-2015.
3.	Copy of the file maintained by District Registrar, Visakhapatnam in File No.G1/976/2015.
4.	Copy of the file maintained by District Registrar, Visakhapatnam vide File No.G1/2316/2015.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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